

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

JOSEPHINE JAMES EDWARDS, individually
and on behalf of all others similarly situated,

Plaintiff,

v.

HEARST COMMUNICATIONS, INC.,

Defendant.

Civil Action No. 15-cv-09279-AT-JLC

**DECLARATION OF JENNIFER M. KEOUGH REGARDING SETTLEMENT
ADMINISTRATION**

I, JENNIFER M. KEOUGH, declare and state as follows:

1. I am the Chief Executive Officer at JND Legal Administration LLC (“JND”). JND is a legal administration services provider with its headquarters located in Seattle, Washington. JND has extensive experience with all aspects of legal administration and has administered settlements in hundreds of class action cases.

2. JND is serving as the Settlement Administrator in the above-captioned litigation (“Action”) for the purposes of administering the Settlement Agreement preliminarily approved by the Court in its Order Granting Preliminary Approval of Class Action Settlement Agreement, Certifying Settlement Class, Appointing Class Representative, Appointing Class Counsel, and Approving Notice Plan (the “Order”) dated January 24, 2019. The following statements are based on my personal knowledge and information provided to me by other JND employees working under my supervision, and if called on to do so, I could and would testify competently thereto.

EXPERIENCE

3. JND is one of the leading legal administration firms in the country, and the principals of JND, including myself, collectively have over 75 years of experience in class action legal and administrative fields. JND's class action division provides all services necessary for the effective implementation of class action settlements including: (1) all facets of legal notice, such as outbound mailing, email notification, and the design and implementation of media programs, including through digital and social media platforms; (2) website design and deployment, including on-line claim filing capabilities; (3) call center and other contact support; (4) secure class member data management; (5) paper and electronic claims processing; (6) calculation design and programming; (7) payment disbursements through check, wire, PayPal, merchandise credits, and other means; (8) qualified settlement fund tax reporting; (9) banking services and reporting; and (10) all other functions related to the secure and accurate administration of class action settlements. Our systems, policies, and procedures have been recognized by various publications, including the National Law Journal and the Legal Times, and most recently, the New York Law Journal, for excellence in class action administration. Notably, JND also has experience in administering settlements in class action lawsuits concerning the Michigan Preservation of Personal Privacy Act, M.C.L. §§ 445.1711, *et seq.* See *Ruppel v. Consumers Union of United States, Inc.*, Case No. 16-cv-02444-KMK (S.D.N.Y.) (final settlement approval granted); *Moeller v. Advance Magazine Publishers, Inc., d/b/a Condé Nast*, Case No. 15-cv-05671-NRB (S.D.N.Y.) (final settlement approval granted).

NOTICE AND ADMINISTRATION SERVICES

4. **CAFA Notification.** In compliance with the Class Action Fairness Act ("CAFA"), 28 U.S.C. § 1715, JND compiled a CD-ROM containing the following documents: Class Action Complaint (with Exhibits), Notice of Motion for Preliminary Approval of Class Action Settlement, Declaration of Joseph I. Marchese in Support of Plaintiff's Motion for Preliminary Approval of Class Action Settlement, Class Action Settlement Agreement, forms of Class Notice (filed as exhibits to the Class Action Settlement Agreement), Memorandum of Law in Support of Plaintiff's Motion for Preliminary Approval of Class Action Settlement, and Proposed Order Granting Preliminary Approval

of Class Action Settlement Agreement, Certifying Settlement Class, Appointing Class Representative, Appointing Class Counsel, and Approving Notice Plan, which accompanied a cover letter (collectively, the "CAFA Notice Packet").

5. The CD-ROM was mailed overnight mail via Federal Express on July 20, 2018, to the appropriate Federal and State Officials identified in the attachment to the accompanying cover letter, a copy of which is attached hereto as **Exhibit A**.

6. As of the date of this Declaration, JND has received no response to the CAFA Notice Packet from any of the recipients identified in paragraph five above.

7. **Emailed Notice and Mailed Notice**. On August 9, 2018, the Defendant provided JND with a list of 3,942,910 persons identified as the Class Member List. The file contained the names, last known U.S. Mail addresses, and e-mail addresses, where available, for the individuals on the Class Member List. JND entered the Class Member List information into its proprietary database and prepared a data file for the initial mailing. Prior to mailing, JND caused the addresses in the Class Member List to be updated using the National Change of Address database ("NCOA") maintained by the U.S. Postal Service. A total of 329,200 addresses were found and updated.

8. JND identified 12,489 duplicative records. JND removed these duplicative records from the Class Member List, resulting in 3,930,421 remaining on the Class Member List.

9. On February 8, 2019, JND e-mailed a summary version of the Notice (the "E-mail Notice") to each of the 1,256,220 valid email addresses on the Class Member List. A sample of the E-mail Notice is attached hereto as **Exhibit B**.

10. Of the 1,256,220 E-mail Notices that were sent, JND tracked 1,015,922 E-mail Notices that were sent successfully and 240,298 that were deemed undeliverable.

11. Pursuant to the Settlement Agreement, JND reviewed the e-mail addresses for the undeliverable E-mail Notice records and corrected any issues that may have caused the E-Mail Notice to not be delivered in the initial attempt.

12. On February 25, 2019, JND sent E-Mail Notices to 13,514 corrected e-mail addresses. Of the 13,514 E-mail Notices sent, JND tracked 4,587 E-mail Notices that were sent successfully and 8,927 that were deemed undeliverable.

13. On February 15, 2019, JND mailed the Postcard Notice and Claim Form (the “Postcard Notice”) to each of the 2,674,201 persons where an email address was not available. On March 6, 2019, JND mailed the Postcard Notice to each of the 237,949 persons where the E-mail Notice was not delivered successfully, and a postal mailing address was available. A representative copy of the Postcard Notice is attached as **Exhibit C**.

14. As of March 26, 2019, JND has received a total of 438,096 Postcard Notices returned by the U.S. Postal Service. This number is subject to change as JND continues to receive returned Postcard Notices.

15. As of the date of this Declaration, direct notice was successfully delivered to approximately 3,494,563 persons on the Class Member List, or 88.9% of the Settlement Class. Of the approximately 3,494,563 persons on the Class Member List to whom direct notice was successfully delivered, 1,020,509 unique individuals received direct notice via E-mail Notice and approximately 2,474,054 persons received direct notice via Postcard Notice. These numbers are subject to change as JND continues to receive returned postcards via Postal Mail. A breakdown of the notice delivery and claims filed is attached as **Exhibit D**.

16. **Toll-Free Telephone Number**. On January 28, 2019, JND established a settlement-specific dedicated toll-free number, 1-888-593-6759, for Class Members to call for additional information about the Settlement. Callers have the option to listen to an Interactive Voice Response (“IVR”) system, or to speak with a live agent. As of March 28, 2019, JND has received 7,508 calls to the toll-free number.

17. **Website**. On January 28, 2019, JND established a website, www.HearstSettlement.com, dedicated to this settlement to provide additional information to the Class Members and to answer frequently asked questions. Since the website was launched, viewers of the website have been able to download the Notice, Claim Form, Settlement Agreement, and Preliminary Approval Order. On March 11, 2019 Class Counsel filed Plaintiff’s Motion for Attorneys’ Fees, Costs, Expenses, and Incentive Award. As of March 11, 2019, viewers of the website have been able to download the Notice of Motion

for Attorneys' Fees, Costs, Expenses, and Incentive Award, Declaration of Joseph I. Marchese in Support of Plaintiff's Motion, with annexed exhibits, Declaration of David P. Milian in Support of Plaintiff's Motion, with annexed exhibits, Declaration of Josephine James Edwards in Support of Plaintiff's Motion, and Memorandum of Law in Support of Plaintiff's Motion. Since the website was launched, visitors have also been able to submit claims online. The web address was set forth in the E-mail Notice, Postcard Notice, and Claim Form. As of March 31, 2019, the website has received 80,731 unique visitors and 386,972 pageviews.

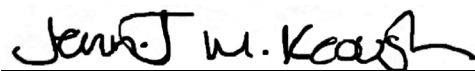
18. **Requests for Exclusion.** The deadline for Class Members to request to be excluded from the class was a postmarked deadline of March 25, 2019. As of the date of this Declaration, JND has received 43 requests for exclusion. A list of the Class Members requesting to be excluded is attached hereto as **Exhibit E**.

19. **Objections to the Settlement.** The deadline for Class Members to object to the Settlement was a postmarked deadline of March 25, 2019. As of the date of this Declaration, JND has not received any objections to the settlement.

20. **Claim Forms.** The deadline for Class Members to file a claim was a postmarked deadline of March 25, 2019. As of the date of this Declaration, JND has received 294,748 claim forms. Based on the claims volume, JND estimates that claimants will receive approximately \$104 each. JND will continue the process of evaluating claim forms received. Thus, these numbers are subject to potential adjustment as potentially timely, eligible hard copy claim forms continue to arrive, and JND continues its de-duplication analyses and validity reviews.

I declare under the penalty of perjury pursuant to the laws of the United States of America that the foregoing is true and correct.

Executed on April 1, 2019 at Seattle, Washington.



JENNIFER M. KEOUGH

EXHIBIT A



July 20, 2018

United States Attorney General
and the Appropriate State Officials
Identified in Attachment A

RE: CAFA Notice of Proposed Class Action Settlement

Dear Sir or Madam:

This notice is being provided to you in accordance with the Class Action Fairness Act ("CAFA"), 28 U.S.C. § 1715, in connection with, and on behalf of the Defendant in, the below-referenced class action ("the Action"). A Class Action Settlement Agreement and Release was filed with the Court on July 12, 2018. As of the date of this notice, a preliminary approval hearing has not been scheduled.

Case Name: *Edwards v. Hearst Communications, Inc.*
Case Number: *1:15-cv-09279-AT-JLC*
Jurisdiction: *United States District Court, Southern District of New York*
Date Settlement filed with Court: *July 12, 2018*

Pursuant to 28 U.S.C. § 1715 (b), the enclosed CD contains the following documents filed in the Action:

01 - Complaint.pdf

Class Action Complaint, filed November 24, 2015

02 - Consolidated Complaint.pdf

Consolidated Class Action Complaint, filed October 31, 2017

03 - Notice of Motion.pdf

Notice of Motion for Preliminary Approval of Class Action filed July 12, 2018

04 - Declaration of Joseph I. Marchese.pdf

Declaration of Joseph I. Marchese in Support of Plaintiff's Motion for Preliminary Approval of Class Action Settlement, filed July 12, 2018 and attaching

05 - Settlement Agreement.pdf

Exhibit A – Class Action Settlement Agreement, including

Exhibit A – Claim Form

Exhibit B – Email Notice

Exhibit C – Postcard Notice

Exhibit D – Website Notice

Exhibit E – Stipulation Regarding Undertaking Re: Attorneys' Fees, Costs and Expenses

06 – B&F Resume.pdf

Exhibit B – Firm Resume for Bursor & Fisher, P.A.

07 - CRMG Resume.pdf

Exhibit C – Firm Resume for Carey Rodriguez Milian Gonya, LLP

08 - Preliminary Approval Brief.pdf

Memorandum of Law in Support of Plaintiff's Motion for Preliminary Approval of Class Action Settlement, filed July 12, 2018

09 - Proposed Preliminary Approval Order.pdf

Proposed Order Granting Preliminary Approval of Class Action Settlement Agreement, Certifying Settlement Class, Appointing Class Representative, Appointing Class Counsel, and Approving Notice Plan

These documents, and all other filings in this lawsuit, are available on the Court's Public Access to Court Electronic Records (PACER) website, <https://ecf.nysd.uscourts.gov>, Case No. 1:15-cv-09279-AT-JLC. Future materials related to this settlement will be available on the Court's PACER website and/or on a settlement website to be created concerning the settlement of this lawsuit.

Complete data regarding the Settlement Class is not currently available, but it is expected that the Settlement Class will be too numerous for it to be feasible to list the names and states of residence for each class member. Class Counsel estimates that the class will include approximately 2 million individuals. The majority of the class members are expected to be current residents of the State of Michigan, but some class members may currently reside in other states, the District of Columbia, or in a U.S. territory.

If you have any questions regarding the details of the case and settlement, please contact Defense Counsel at:

Kristina Findikyan
Stephen Yuhan
Evan Saucier
Hearst Office of General Counsel
300 West 57th Street, 40th Floor
New York, NY 10019
(212) 841-7000

For questions regarding this notice, please contact us at:

JND Legal Administration
2727 Western Avenue, Suite 200
Seattle, WA 98111
Phone: (800) 207-7160

Regards,

/s/

JND Legal Administration

Enclosures

CAFA Notice - Attachment A - Service List

Jahna Lindemuth
Office of the Attorney General
1031 W 4th Ave
Ste 200
Anchorage, AK 99501

Steve Marshall
Office of the Attorney General
501 Washington Ave
Montgomery, AL 36104

Leslie Rutledge
Office of the Attorney General
323 Center St
Ste 200
Little Rock, AR 72201

Talauega Eleasalo V. Ale
Department of Legal Affairs
A.P. Lutali Exec Ofc Bldg, 3rd Fl
Utulei
Pago Pago, AS 96799

Mark Brnovich
Office of the Attorney General
2005 N Central Ave
Phoenix, AZ 85004

CAFA Coordinator
Office of the Attorney General
Consumer Law Section
455 Golden Gate Ave., Ste 11000
San Francisco, CA 94102

Cynthia H. Coffman
Office of the Attorney General
Ralph L. Carr Judicial Building
1300 Broadway, 10th Fl
Denver, CO 80203

George C. Jepsen
Office of the Attorney General
55 Elm St
Hartford, CT 06106

Karl A. Racine
Office of the Attorney General
441 4th St NW
Suite 1100
Washington, DC 20001

Matthew Denn
Delaware Department of Justice
Carvel State Office Building
820 N French Street
Wilmington, DE 19801

Pam Bondi
Office of the Attorney General
State of Florida
The Capitol PL-01
Tallahassee, FL 32399

Joses R. Gallen
Department of Justice
P.O. Box PS-105
Palikir
Pohnpei State, FM 96941

Chris Carr
Office of the Attorney General
40 Capitol Sq SW
Atlanta, GA 30334

Elizabeth Barrett-Anderson
Office of the Attorney General
ITC Building Ste 901
590 S Marine Corps Dr
Tamuning, GU 96913

CAFA Notice - Attachment A - Service List

Russell Suzuki
Department of the Attorney General
425 Queen Street
Honolulu, HI 96813

Thomas J. Miller
Office of the Attorney General
Hoover State Office Building
1305 E. Walnut Street Rm 109
Des Moines, IA 50319

Lawrence G. Wasden
State of Idaho
Office of the Attorney General
700 W. Jefferson St, Suite 210
Boise, ID 83720

Lisa M. Madigan
Office of the Attorney General
James R. Thompson Center
100 W. Randolph St
Chicago, IL 60601

Curtis T. Hill, Jr.
Indiana Attorney General's Office
Indiana Government Center South
302 W Washington St 5th Fl
Indianapolis, IN 46204

Derek Schmidt
Office of the Attorney General
120 SW 10th Ave
2nd Fl
Topeka, KS 66612

Andy Beshear
Office of the Attorney General
Capitol Building
700 Capitol Ave Ste 118
Frankfort, KY 40601

Jeff Landry
Office of the Attorney General
1885 N. Third St
Baton Rouge, LA 70802

CAFA Coordinator
General Counsel's Office
Office of the Attorney General
One Ashburton Pl
Boston, MA 02108

Brian E. Frosh
Office of the Attorney General
200 St. Paul Pl
Baltimore, MD 21202

Janet T. Mills
Office of the Attorney General
6 State House Station
Augusta, ME 04333

Filimon M. Manoni
Office of the Attorney General
P.O. Box 890
Majuro, MH 96960

Bill Schuette
Department of Attorney General
G. Mennen Williams Building, 7th Fl
525 W Ottawa St
Lansing, MI 48933

Lori Swanson
Office of the Attorney General
445 Minnesota St
Suite 1400
St. Paul, MN 55101

CAFA Notice – Attachment A – Service List

Joshua D. Hawley
Attorney General's Office
Supreme Court Building
207 W High St
Jefferson City, MO 65101

Edward Manibusan
Office of the Attorney General
Administration Building
P.O. Box 10007
Saipan, MP 96950

Jim Hood
Office of the Attorney General
Walter Sillers Building
550 High St Ste 1200
Jackson, MS 39201

Tim Fox
Office of the Attorney General
215 N. Sanders
Justice Building, Third Fl
Helena, MT 59601

Josh Stein
Attorney General's Office
114 W Edenton St
Raleigh, NC 27603

Wayne Stenehjem
Office of the Attorney General
State Capitol, 600 E Boulevard Ave
Dept. 125
Bismarck, ND 58505

Doug Peterson
Office of the Attorney General
2115 State Capitol
Lincoln, NE 68508

Gordon MacDonald
Office of the Attorney General
NH Department of Justice
33 Capitol St.
Concord, NH 03301

Gurbir S. Grewal
Office of the Attorney General
Richard J. Hughes Justice Complex
25 Market St 8th Fl, West Wing
Trenton, NJ 08611

Hector Balderas
Office of the Attorney General
408 Galisteo Street
Villagra Building
Santa Fe, NM 87501

Adam Paul Laxalt
Office of the Attorney General
Old Supreme Court Building
100 N Carson St
Carson City, NV 89701

Barbara Underwood
Office of the Attorney General
The Capitol
Albany, NY 12224

Mike DeWine
Attorney General's Office
State Office Tower
30 E Broad St 14th Fl
Columbus, OH 43215

Mike Hunter
Office of the Attorney General
313 NE 21st St
Oklahoma City, OK 73105

CAFA Notice - Attachment A - Service List

Ellen F. Rosenblum
Oregon Department of Justice
1162 Court St NE
Salem, OR 97301

Josh Shapiro
PA Office of the Attorney General
Strawberry Square 16th Fl
Harrisburg, PA 17120

Wanda Vázquez Garced
Dpto. de Justicia de Puerto Rico
Calle Olimpo, Esq. Axtmayer
Pda. 11, Miramar
San Juan, PR 00907

Ernestine K. Rengiil
Office of the Attorney General
P.O. Box 1365
Koror, PW 96939

Peter F. Kilmartin
Office of the Attorney General
150 S Main St
Providence, RI 02903

Alan Wilson
Office of the Attorney General
Rembert C. Dennis Bldg
1000 Assembly St Rm 519
Columbia, SC 29201

Marty J. Jackley
Office of the Attorney General
1302 E Highway 14
Ste 1
Pierre, SD 57501

Herbert H. Slatery, III
Office of the Attorney General
500 Charlotte Ave
Nashville, TN 37243

Ken Paxton
Office of the Attorney General
300 W. 15th St
Austin, TX 78701

Sean D. Reyes
Office of the Attorney General
Utah State Capitol Complex
350 North State St Ste 230
Salt Lake City, UT 84114

Mark R. Herring
Office of the Attorney General
202 N. Ninth St.
Richmond, VA 23219

Claude E. Walker
Office of the Attorney General
34-38 Kronprindsens Gade
GERS Building 2nd Fl
St. Thomas, VI 00802

T.J. Donovan
Attorney General's Office
109 State St.
Montpelier, VT 05609

Bob Ferguson
Office of the Attorney General
1125 Washington St SE
Olympia, WA 98501

CAFA Notice - Attachment A - Service List

Brad D. Schimel
Attorney General's Office
17 W. Main St
Madison, WI 53703

Patrick Morrissey
Office of The Attorney General
State Capitol, 1900 Kanawha Blvd E
Building 1 Rm E-26
Charleston, WV 25305

Peter K. Michael
Office of the Attorney General
Kendrick Building
2320 Capitol Ave
Cheyenne, WY 82002

EXHIBIT B

NOTICE OF PROPOSED CLASS ACTION SETTLEMENT

Edwards v. Hearst Communications, Inc., Case No. 1:15-cv-09279-AT-JLC
(United States District Court for the Southern District of New York)

This notice is to inform you of the settlement of a class action lawsuit with publisher Hearst Communications, Inc., the Defendant in this case. Plaintiff Josephine James Edwards alleges that Defendant disclosed its customers' subscription information to third parties which is alleged to violate Michigan privacy law. **While Hearst believes that its practices were in compliance with Michigan law, Hearst chose to settle this case, without admitting liability, to focus time, effort and resources on continuing to provide valued content to its readers, as the organization has since its founding, and not on additional legal fees and the uncertainty of litigation.**

Am I a Class Member? Our records indicate you may be a Class Member. Class Members are persons who had a Michigan street address at any time on or before July 30, 2016 and purchased and/or had a subscription to a Hearst Publication on or before July 30, 2016. Hearst Publications include any magazine or other publication published by Defendant, one of its subsidiaries, predecessors, or companies acquired by Hearst, or any publication acquired by Hearst, in the United States, including but not limited to any one of the following magazines or publications: *Country Living*, *Cosmopolitan*, *Elle Decor*, *Elle*, *Esquire*, *Food Network Magazine*, *Good Housekeeping*, *Harper's Bazaar*, *House Beautiful*, *Marie Claire*, *O*, *The Oprah Magazine*, *Popular Mechanics*, *Redbook*, *Road & Track*, *Seventeen*, *Town & Country*, *Veranda*, and *Woman's Day*.

What Can I Get? A Settlement Fund of \$50,000,000.00 has been established to pay all valid claims submitted by the Settlement Class, together with notice and administration expenses, approved attorneys' fees and costs, and an incentive award. If you are entitled to relief, you may submit a claim to receive a *pro rata* share of the Settlement Fund, which Class Counsel estimates to be about \$155 per class member, although the final amount you receive will also depend on the number of valid claims submitted.

How Do I Get a Payment? To receive a payment, you must submit a timely and complete Claim Form by mail or online, submitted or postmarked **no later than March 25, 2019**. You can submit the claim form online at www.hearstsettlement.com, or by clicking [here](#). Your payment will come by check.

What are My Other Options? You may exclude yourself from the Class by sending a letter to the settlement administrator no later than **March 25, 2019**. If you exclude yourself, you cannot get a settlement payment, but you keep any rights you may have to sue the Defendant over the legal issues in the lawsuit. You and/or your lawyer have the right to appear before the Court and/or object to the proposed settlement. Your written objection must be filed no later than **March 25, 2019**. Specific instructions about how to object to, or exclude yourself from, the Settlement are available at www.hearstsettlement.com. If you file a claim or do nothing, and the Court approves the Settlement, you will be bound by all of the Court's orders and judgments. In addition, your claims relating to the alleged disclosure of subscriber information in this case against the Defendant will be released.

Who Represents Me? The Court has appointed Bursor & Fisher, P.A. and Carey Rodriguez Milian Gonya, LLP to represent the class. These attorneys are called Class Counsel. You will not be charged for these lawyers. If you want to be represented by your own lawyer in this case, you may hire one at your expense.

When Will the Court Consider the Proposed Settlement? The Court will hold the Final Approval Hearing at **12:00 p.m. on April 18, 2019** at the Daniel Patrick Moynihan United States Courthouse, Courtroom 15D, 500 Pearl Street, New York, NY 10007. At that hearing, the Court will: hear any objections concerning the fairness of the settlement; determine the fairness of the settlement; decide whether to approve Class Counsel's request for attorneys' fees and costs; and decide whether to award the Class Representative \$10,000 from the Settlement Fund for her services in helping to bring and settle this case. Defendant has agreed that Class Counsel may be paid reasonable attorneys' fees from the Settlement Fund in an amount to be determined by the Court. Class Counsel is entitled to seek attorneys' fees of no more than one-third of the Settlement Fund, plus reimbursement of their costs and expenses, but the Court may award less than this amount. The Court may adjourn the Final Approval Hearing without further notice to members of the Settlement Class. Class Members should contact Class Counsel to confirm the date and time.

How Do I Get More Information? For more information, including a more detailed Notice, Claim Form, a copy of the Settlement Agreement and other documents, go to www.hearstsettlement.com, contact the settlement administrator at 1-888-593-6759 or Hearst Settlement Administrator, c/o JND Legal Administration, P.O. Box 91225, Seattle, WA 98111-9931, or call Class Counsel at 646-837-7150.

EXHIBIT C

COURT AUTHORIZED NOTICE OF CLASS
ACTION AND PROPOSED SETTLEMENT

OUR RECORDS INDICATE YOU HAVE
PURCHASED AND/OR HAD A
SUBSCRIPTION TO A HEARST
COMMUNICATIONS, INC. PUBLICATION
AND MAY BE ENTITLED TO A PAYMENT
FROM A CLASS ACTION SETTLEMENT.

A settlement has been reached in a class action lawsuit claiming that Defendant, magazine publisher Hearst Communications, Inc., disclosed its customers' subscription information to third parties, which is alleged to violate Michigan privacy law. **While Hearst believes that its practices were in compliance with Michigan law, Hearst chose to settle this case, without admitting liability, to focus time, effort and resources on continuing to provide valued content to its readers, as the organization has since its founding, and not on additional legal fees and the uncertainty of litigation.**

Hearst Settlement
c/o JND Legal Administration
P.O. Box 91225
Seattle, WA 98111-9931



Postal Service: Please do not mark barcode

XXX—«ClaimID» «MailRec»

«First1» «Last1»

«C/O»

«Addr1» «Addr2»

«City», «St» «Zip» «Country»

By Order of the Court Dated:
January 24, 2019

Am I a Class Member? Our records indicate you may be a Class Member. Class Members are persons who had a Michigan street address at any time prior or before July 10, 2016 who purchased and/or had a subscription to a Hearst publication or publication of July 10, 2016. Hearst publications include any magazine or other publication published by Defendant, one of its subsidiaries, predecessors, or companies acquired by Hearst, or any publication acquired by Hearst, in the United States, including but not limited to any one of the following magazines or publications: *Country Living*, *Cosmopolitan*, *Elle Decor*, *Elle*, *Esquire*, *Food Network Magazine*, *Good Housekeeping*, *Harper's Bazaar*, *House Beautiful*, *Marie Claire*, *O, The Oprah Magazine*, *Popular Mechanics*, *Redbook*, *Road & Track*, *Seventeen*, *Town & Country*, *Veranda*, and *Woman's Day*.

What Can I Get? If approved by the Court, a Settlement Fund of \$50,000,000.00 will be established to pay all valid claims submitted by the Settlement Class, together with notice and administration expenses, approved attorneys' fees and costs, and an incentive award. If you are entitled to relief, you may submit a claim to receive a *pro rata* share of the Settlement Fund, which Class Counsel estimates at \$155 per class member, depending on the number of valid claim forms submitted.

How Do I Get a Payment? You must submit a timely and properly completed Claim Form **no later than March 25, 2019**. You may use the Claim Form attached to this Notice or you can submit one online at www.hearstsettlement.com.

What are My Other Options? You may exclude yourself from the Class by sending a letter to the settlement administrator **no later than March 25, 2019**. If you exclude yourself, you cannot get a settlement payment, but you keep any rights you may have to sue the Defendant over the legal issues in the lawsuit. You and/or your lawyer have the right to appear before the Court and/or object to the proposed settlement. Your written objection must be filed **no later than March 25, 2019**. Specific instructions about how to object to, or exclude yourself from, the Settlement are available at www.hearstsettlement.com. If you file a claim or do nothing, and the Court approves the Settlement, you will be bound by all of the Court's orders and judgments. In addition, your claims relating to the alleged disclosure or subscriber information in this case against the Defendant and others will be released.

Who Represents Me? The Court has appointed Bursor & Fisher, P.A. and Carey Rodriguez Milian Gonya, LLP to represent the class. These attorneys are called Class Counsel. You will not be charged for these lawyers. If you want to be represented by your own lawyer in this case, you may hire one at your expense.

When Will the Court Consider the Proposed Settlement? The Court will hold the Final Approval Hearing at **12:00 p.m. on April 18, 2019** at the Daniel Patrick Moynihan United States Courthouse, Courtroom 15D, 500 Pearl Street, New York, NY 10007. At that hearing, the Court will: hear any objections concerning the fairness of the settlement; determine the fairness of the settlement; decide whether to approve Class Counsel's request for attorneys' fees and costs; and decide whether to award the Class Representative \$10,000 from the Settlement Fund for her services in helping to bring and settle this case. Defendant has agreed to pay Class Counsel reasonable attorneys' fees in an amount to be determined by the Court. Class Counsel is entitled to seek attorneys' fees of no more than one-third of the Settlement Fund, plus reimbursement of their costs and expenses, but the Court may award less than this amount. The Court may adjourn the Final Approval Hearing without further notice to members of the Settlement Class. Class Members should contact Class Counsel to confirm the date and time.

How Do I Get More Information? For more information, including the full Notice, Claim Form and Settlement Agreement go to www.hearstsettlement.com, contact the settlement administrator at 1-888-593-6759 or Hearst Settlement Administrator, c/o JND Legal Administration, P.O. Box 91225, Seattle, WA 98111-9931, or call Class Counsel at 646-837-7150.

HEARST SETTLEMENT CLAIM FORM

THIS CLAIM FORM MUST BE SUBMITTED ONLINE OR POSTMARKED BY MARCH 25, 2019 AND MUST BE FULLY COMPLETED, BE SIGNED, AND MEET ALL CONDITIONS OF THE SETTLEMENT AGREEMENT.

Instructions: Fill out each section of this form and sign where indicated.

Name (First, M.I., Last): _____

Street Address: _____

City: _____ State: _____ Zip Code: _____

Email Address (optional): _____

Contact Phone #: (_____) _____ – _____ (You may be contacted if further information is required.)

Class Member Verification: By submitting this claim form and checking the boxes below, I declare that I believe I am a member of the Settlement Class and that the following statements are true (each box must be checked to receive a payment):

☐ I had a Michigan street address on or before July 30, 2016 and purchased and/or had a subscription to a Hearst Publication on or before July 30, 2016. Hearst Publications include any magazine or other publication published by Defendant, one of its subsidiaries, predecessors, or companies acquired by Hearst, or any publication acquired by Hearst, in the United States, including but not limited to any one of the following magazines or publications: *Country Living*, *Cosmopolitan*, *Elle Decor*, *Elle*, *Esquire*, *Food Network Magazine*, *Good Housekeeping*, *Harper's Bazaar*, *House Beautiful*, *Marie Claire*, *O, The Oprah Magazine*, *Popular Mechanics*, *Redbook*, *Road & Track*, *Seventeen*, *Town & Country*, *Veranda*, and *Woman's Day*.

☐ Under penalty of perjury, all information provided in this Claim Form is true and correct to the best of my knowledge and belief.

Signature: _____ Date: ____/____/____

Print Name: _____

The Settlement Administrator will review your Claim Form; you may be required to submit additional documentation to validate your claim. If accepted, you will be mailed a check for a *pro rata* share of the Settlement Fund depending on the number of valid claim forms received. This process takes time, please be patient.

Questions, visit www.hearstsettlement.com or call 1-888-593-6759

Hearst Settlement Administrator
c/o JND Legal Administration
PO Box 91225
Seattle, WA 98111-9931

XXX

EXHIBIT D



EDWARDS V. HEARST COMMUNICATIONS, INC.
RESULTS OF DIRECT NOTICE TO CLASS MEMBERS
(as of April 1, 2019)

CLASS MEMBERS	
Unique Individuals (After De-Duplication):	3,930,421

NOTICES SUCCESSFULLY DELIVERED	
Total Notices Successfully Delivered	3,494,563
• E-mail Notices:	1,020,509
• Mail Notices:	2,474,054

CLAIM FORMS	
Total Claim Form Submissions (Prior to De-Duplication):	294,748
• Online Claims:	94,787
• Paper Claims:	199,961

EXHIBIT E



EDWARDS V. HEARST COMMUNICATIONS, INC.
SETTLEMENT REQUESTS FOR EXCLUSION/OPT-OUTS
(as of April 1, 2019)

REQUESTS FOR EXCLUSION/OPT-OUTS (Deadline: March 25, 2019 (postmarked))	
Opt-Outs Received by Date	43
• Nonie Black (2/19/2019)	
• Ted Welsh (2/19/2019)	
• Nancy Dunbar (2/25/2019)	
• Lisa Humphreys (2/25/2019)	
• Roberta Jung (2/25/2019)	
• Doris Bass (2/26/2019)	
• Robert Dunklee (2/26/2019)	
• Jeff Zehr (2/26/2019)	
• Letitia Smith (2/27/2019)	
• Jerald Vincent (2/27/2019)	
• Linda Rathbun (2/28/2019)	
• Jack Bailey (3/1/2019)	
• Mahlon Mast (3/1/2019)	
• Irene Prosser (3/1/2019)	
• Marie Bacon (3/5/2019)	
• Gladys Eisele (3/6/2019)	
• Vivian Secrist (3/6/2019)	
• Robert Ray (3/7/2019)	
• Sheldon Humphreys (3/8/2019)	
• Cynthia Hurt (3/8/2019)	
• Peggy Lyttle (3/8/2019)	
• Rose Nickson (3/8/2019)	
• Kenneth Roseke (3/8/2019)	
• Julie Edick (3/11/2019)	
• Sylvester Jankoviak (3/11/2019)	
• Joann Van Every (3/11/2019)	
• Marceline Wilson (3/11/2019)	

REQUESTS FOR EXCLUSION/OPT-OUTS (Deadline: March 25, 2019 (postmarked))	
• Mary Zachos (3/11/2019)	
• Robert Bonfoey (3/12/2019)	
• Laura Kaufherr (3/12/2019)	
• Mary Campbell (3/14/2019)	
• Giovanna Roncone (3/14/2019)	
• Paula Blackmer (3/15/2019)	
• Ron & Denise Koppleberger (3/18/2019)	
• Rebecca Lumpkin (3/18/2019)	
• Darlene Welshans (3/18/2019)	
• Marlene Frye (3/18/2019)	
• Martha Stubblefield (3/19/2019)	
• Patricia Sanders (postmarked 3/20/2019)	
• Kasi Barette (3/25/2019)	
• Bertha Erickson (3/25/2019)	
• Kyra Lyngklip (3/25/2019)	
• Gina Voss (3/25/2019)	